



Appeal Decision

Site visit made on 19 July 2022

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 8TH August 2022

Appeal Ref: APP/J2373/D/22/3299197

338 Midgeland Road, Blackpool, FY4 5HZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Rebecca Collier-Baker against the decision of Blackpool Council.
 - The application Ref 22/0036, dated 17 January 2022, was refused by notice dated 21 March 2022.
 - The development proposed is erection of a single storey detached garage.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal is in a conservation area I have had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of Marton Moss Conservation Area.

Reasons

4. Marton Moss Conservation Area (the CA) covers a flat drained mossland landscape with a mix of agricultural, horticultural and equestrian uses. Residential development is low density with mixed sizes, styles and ages of properties including terraced, semi-detached and detached dwellings, the latter generally set in large plots. There is a mixed palette of materials including brick and render dwellings and timber stable buildings. The road is sporadically developed with buildings and building groups interspersed with fields enclosed by fences, hedgerows and trees. The significance of the CA derives in part from its history of piecemeal postmedieval enclosure with verdant lanes and rectangular pattern of fields and drainage channels, and its more recent market garden use.
5. The appeal property is a detached single storey dwelling set well back from the road in a large plot with 2 highway access points at either end of the frontage. Planning permission (ref 20/0316) was granted in 2020 for front and rear infill extensions, new pitched roof and formation of gravelled area for parking. The permission has been implemented and the dwelling now appears substantially large with a wide and tall gable front elevation finished in brick, timber cladding

- and glazing. Its long single storey brick side elevation and extensive pitched roof slope is visible in views along Midgeland Road due to the wide undeveloped gap between it and the equestrian development to the north.
6. The proposed detached garage would be roughly 6m x 10m and 3.8m tall to its pitched roof ridge. The front elevation would be finished in stone with 2 up and over garage doors. The remaining elevations would be finished in cedar wood cladding and it would have roof tiles to match the dwelling. The garage would be sited to the front of the appeal property, close to the road and to the side boundary shared with the equestrian paddocks to the north.
 7. By virtue of its large size and its forward siting and wide separation from the appeal property, the garage would be a prominent and conspicuous feature. The cedar cladding would match the feature cladding to the front elevation of the dwelling, but the appellant acknowledges that it would be uncharacteristic of the wider area. While it would undoubtedly be smaller than the appeal dwelling, nevertheless the overly large cedar and stone garage would not be well related to, and it would be out of scale and out of keeping with, the dwellings and the more modest and unobtrusive domestic outbuildings that characterise the townscape. Moreover, it would be markedly dissimilar to, and it would not be assimilated by, commercial buildings or the utilitarian wooden stables that contribute to the distinctive rural character of the CA.
 8. The dense boundary planting would help to screen the garage from views from the front, although it would still be visible through gaps including gateways. The open side boundary has been recently planted with cherry laurel hedging that, subject to reaching 2m height, would screen the lower parts of the garage from views from the north. However, while mature garden planting would help soften and integrate the building into its surroundings, vegetation is not permanent and it should not be used nor relied upon to hide development from view. The proposal would be a discordant and visually obtrusive feature and it would not make a positive contribution to local distinctiveness or sense of place, taking into account that both buildings and spaces contribute to the character and appearance of the CA.
 9. The significance of a CA depends upon how it is experienced such that proposals must have at least a moderate degree of prominence. As the proposal would be visible from the public domain, it would be capable of harming the wider character or appearance of the CA. Indeed, the parties agree the proposal would result in less than substantial harm (LTSH) to the significance of the CA. Based on what I have seen and read, I agree the proposal would fail to preserve the significance of the CA. I note that the appellant considers, in the context of a sliding scale of harm within the LTSH category, the garage would result in low or slight harm. Even so, the National Planning Policy Framework (the Framework) only requires that differentiation be made between "substantial" and "less than substantial" and that any harm to heritage assets is afforded considerable importance and weight.
 10. Paragraph 202 of the Framework advises that the harm should be weighed against the public benefits of the proposal. The garage would be a private benefit. On the basis that it would harm the significance of the CA, there is little evidence that any public benefits would accrue in relation to the heritage asset. There would be negligible economic benefits during construction.

11. Taking account of the above, and in the absence of any defined substantiated public benefit, I conclude that on balance the proposal would fail to preserve the character or appearance of Marton Moss Conservation Area. This would fail to satisfy the requirements of the Act and Framework paragraph 197. It would conflict with policies CS7, CS8 and CS26 of Blackpool Local Plan Part 1: Core Strategy 2012-2027 Adopted January 2016 and saved policies LQ1, LQ2, LQ4, LQ10 and LQ14 of Blackpool Local Plan 2001-2016 Adopted June 2006. These require, among other things, that development responds to and enhances the character and appearance of the area, including in terms of scale, appearance and materials; and that it conserves and enhances the significance of heritage assets. It would also conflict with the visual amenity aims of the Extending Your Home Supplementary Planning Document Adopted November 2007 in relation to proposals to the front of dwellings and in CAs.

Other Matters

12. The appellant would be amenable to changing the finished materials and she would comply with a condition specifying the external materials if the appeal was allowed. However, in the absence of amended details to demonstrate an acceptable alternative scheme, I am not satisfied that the development could be made acceptable by the imposition of a condition.
13. My attention has been drawn to the Council's second reason for refusal. This is an Article 35 statement (Framework paragraph 38) and it does not introduce further grounds for refusal. It simply states that the Council sought to secure a sustainable development but that the policy conflict justified refusal. There is evidence that the Council did make suggestions, including in relation to revised siting, during the processing of the application. Notwithstanding, the appellant considers that the Council did not approach the decision in a positive and creative way and that it failed to work proactively with her. On the basis of the information before me, this not a matter that weighs in favour of the scheme.
14. I understand the appellant has a large number of vehicles that would be parked outside the property if the appeal should fail. However, there would be nothing to prevent the parking of vehicles outside even if the appeal was allowed. Neither this, nor the parking of larger commercial and equestrian vehicles or development elsewhere provides a justification for the proposal.

Conclusion

15. For the reasons set out above, the proposal would conflict with the development plan and there are no material considerations that would outweigh that harm.
16. Therefore, the appeal should be dismissed.

Sarah Manchester

INSPECTOR